

## **REMARKS**

### **I. INTRODUCTION**

Claims 1, 5-7, and 9-12 have been amended. Thus, claims 1-12 remain pending in the present application. No new matter has been added. Applicants would like to thank the Examiner for indicating that claims 5-7 and 9-10 contain allowable subject matter. However, in view of the above amendments and the following remarks, Applicants respectfully submit that all presently pending claims are in condition for allowance.

Claims 1, 5-7 and 9-12 are amended for non-statutory reasons: to correct one or more informalities, remove figure label number(s), and/or to replace European-style claim phraseology with American-style claim language.

Applicants respectfully request that the Examiner indicate that the drawings submitted by Applicant are acceptable. The Examiner has not made such an indication on the Summary Sheet or in the body of the Office Action.

### **II. THE 35 U.S.C. § 101 REJECTION SHOULD BE WITHDRAWN**

Claim 12 stands rejected under 35 U.S.C. §101 for being directed towards non-statutory subject matter. Claim 12 has been amended to recite “[a] computer program *stored on a computer-readable medium*,” as suggested by the Examiner. (See 11/4/09 Office Action, p. 3). Thus, the withdrawal of this rejection is respectfully requested.

### **III. THE CLAIM OBJECTION SHOULD BE WITHDRAWN**

Claims 5-7 and 9-10 stand objected to due to informalities.<sup>1</sup> Specifically, the Examiner states that a claim dependency should be recited in the preamble instead of within the claim limitations. (See 11/4/09 Office Action, p. 3). Each of claims 5-7 and 9-11 have been rewritten as independent claims to include all the subject matter of the base

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<sup>1</sup> In the objection, the Examiner objects to claims 5-7 and 9-10. Claim 11 displays the same issue raised by the Examiner. Thus, claim 11 has been amended in the same manner as claims 5-7 and 9-10.

claim and any intervening claims. Thus, the withdrawal of this objection is respectfully requested.

#### **IV. THE 35 U.S.C. § 102(e) REJECTION SHOULD BE WITHDRAWN**

Claims 1-3, 8 and 12 stand rejected under 35 U.S.C. §102(e) as anticipated by Lee et al. (U.S. Patent No. 6,631,162).<sup>2</sup>

Claim 1 recites, “[a] method of measuring blocking artefacts on the basis of video data encoded in accordance with a block-based encoding technique, the method comprising the steps of: *computing a monodimensional inverse discrete transform of a first row of a first block of encoded video data*, suitable for supplying a value of a first virtual border pixel, *computing a monodimensional inverse discrete transform of a first row of a second block of encoded video data*, the second block being adjacent to the first block, suitable for supplying a value of a second virtual border pixel, computing a blocking artefact level on the basis of an absolute value of a difference between the values of the first and second virtual pixels.”

Lee discloses a signal adaptive filter that reduces a blocking effect and ringing noise. (See Lee, col.4, ll. 28-29). The filter includes a filtering unit (150) which “adaptively filters the image data of the block which has passed an inverse quantizer ( $Q^{-1}$ ) 100 and an inverse discrete cosine transformer ( $DCT^{-1}$ ) 110.” (See Id., ll. 48-51). In contrast, claim 1 recites “*computing a monodimensional inverse discrete transform of a first row of a first block of encoded video data.*” In fact, performing the inverse discrete transform of the entire block, as taught by Lee, is exactly what the claimed invention seeks to avoid. The undesirability of such an operation is explicitly disclosed in the specification of the present application. (See Specification, p. 4, ll. 18-34). Therefore, Applicants respectfully submit that the rejection of claim 1 under 35 U.S.C. §102(e) should be withdrawn.

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<sup>2</sup> In the 102(e) rejection, the Examiner initially states claims 1-3 and 8 are rejected, but then includes claim 12 in the explanation. (See, Office Action, pp 4-5). Thus, claim 12 will be treated as rejected.

Claims 2, 3 and 12 depend from claim 1, and inherit all of the respective features of claim 1. Thus, claims 2, 3 and 12 are patentable for at least the same reasons discussed above with respect to claim 1, from which they depend, with each dependent claim containing further distinguishing patentable features. Withdrawal of the rejections of dependent claims 2, 3 and 12 under 35 U.S.C. §102(e) and early allowance are respectfully requested.

Claim 8 recites “*means for computing a monodimensional inverse discrete transform of a first row of a first block of encoded video data.*” Thus, it is respectfully submitted that claim 8 is also allowable over Lee for at least the foregoing reasons presented with regards to claim 1. Withdrawal of the rejection of independent claim 8 under 35 U.S.C. §102(e) and early allowance is respectfully requested.

#### **V. THE 35 U.S.C. § 103(a) REJECTION SHOULD BE WITHDRAWN**

Claim 4 stands rejected under 35 U.S.C. §103(a) as unpatentable over Lee in view of Tavares (U.S. Patent No. 7,020,207).

Applicants respectfully submit that Tavares fails to cure the above-mentioned deficiencies of Lee and that Lee and Tavares, taken alone or in combination, fail to disclose or suggest “a monodimensional inverse discrete transform *of a first row of a first block* of encoded video data,” as recited in claim 1. Because claim 4 depends from claim 1, and inherits all of the respective features of claim 1, claim 4 is patentable for at least the same reasons discussed above with respect to claim 1, from which it depends, with claim 4 containing further distinguishing patentable features. Withdrawal of the rejections of dependent claim 4 under 35 U.S.C. §103(a) and early allowance are respectfully requested.

**CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application are believed to be in condition for allowance. If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to contact the undersigned.

Respectfully Submitted,

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By: \_\_\_\_/Michael J. Marcin/\_\_\_\_\_  
Michael J. Marcin (Reg. No. 48,198)

Fay Kaplun & Marcin, LLP  
150 Broadway, Suite 702  
New York, NY 10038  
Phone: 212-619-6000  
Fax: 212-619-0276

**Mail all correspondence to:**  
**Kevin C. Ecker, Esq.**  
**Senior IP Counsel**  
**Philips Electronics North America Corp.**  
**P.O. Box 3001**  
**Briarcliff Manor, New York 10510-8001**  
**Phone: (914) 333-9618**